

### **REMARKS/ARGUMENTS**

In response to the Examiner's further Office Action of September 7, 2006 the Applicant respectfully submits the accompanying terminal disclaimer and Amendment to the claims, and the below Remarks.

#### ***Regarding Amendment***

In the Amendment;  
independent claim 1 is amended to incorporate the allowable subject matter of dependent claim 6;  
dependent claim 6 is cancelled accordingly;  
dependent claims 2-10, 12-37, 41, 45, 46 and 48 are unchanged; and  
claims 38-40, 42-44 and 49 remain withdrawn.

It is respectfully submitted that the above amendments do not add new matter to the present application.

#### ***Regarding Allowable Subject Matter***

The Applicant appreciates the Examiner's indication of the allowability of the subject matter of pending claims 6, 19, 20, 33 and 36 under the conditions stated in the Office Action.

#### ***Regarding Non-Statutory Double Patenting Rejections***

With respect to the Examiner's provisional non-statutory double patenting rejections of pending claim 1 over claims 1, 11 and 48 of copending Application No. 10/760,251 and claims 1, 11, 47 and 48 of copending Application No. 10/760,230 (the Applicant respectfully notes the typographical errors indicated US Application No. 10/760,199 in the rejection text), the Applicant submits herewith a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(c); the present application and Application Nos. 10/760,251 and 10/760,230 being commonly owned by the Applicant.

#### ***Regarding 35 USC 103(a) Rejections***

The Examiner is respectfully requested to withdraw the art rejections of the claims over Matsumoto, Martin, JP 2000248217, Silverbrook '834, Kwasny, Anselmo, Cruikshank, Inoue, Hoene, WO 01/89848, Yraceburu, Tsuchii, Silverbrook '049, Zander, Kawamura, Miller and McClelland based on the above-described amendment to independent claim 1 to incorporate the allowable subject matter of claim 6 and for at least the reasons given by the Examiner in the Allowable Subject Matter section of the Office Action.

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

Applicant/s:



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